

**COUNTY OF MILWAUKEE**  
**Inter-Office Communication**

**Date:** September 8, 2003

**To:** Supervisor Richard D. Nyklewicz, Jr., Chairman, Committee on Finance and Audit

**From:** Jerome J. Heer, Director of Audits

**Subject:** School Tuition Reimbursements for Incarcerated Juveniles

**Background**

At the June 12, 2003 Committee on Finance and Audit meeting, the Committee considered File No. 03-366 – Audit Review of Wauwatosa School District's Reimbursement of Operating Costs of the Milwaukee County Department of Health and Human Services (DHHS) Schools for the 2001-02 School Year.

The Wauwatosa School District provides teaching services at the DHHS schools pursuant to a contractual agreement. The agreement provides that the School District remit to Milwaukee County funds which represent a rental payment for using space at DHHS facilities. The School District receives reimbursement from the Wisconsin Department of Public Instruction for its teaching costs, including the facility rental cost. At the June 12 meeting, the Committee asked the Department of Audit to report back as to the possibility of the County receiving similar reimbursement for juveniles incarcerated at the House of Correction in Franklin.

**Analysis and Discussion**

As indicated in a January, 2002 Corporation Counsel memo (see attached), the Wauwatosa School District is responsible for the education of the children at DHHS facilities because those institutions are within the geographical boundaries of the District. The memo goes on to say that, with respect to juveniles in secure detention, detention facilities shall ensure that juveniles have access to education, as provided by the school district in which the facility is located.

We spoke with the County's Manager of Inmate Programs at the House of Correction (HOC) and the Criminal Justice Facility (CJF). HOC educational services for juveniles have been provided by the Franklin School District at the HOC since 1996. The District provides two full-time teachers and four aides in two classrooms. CJF educational services for juveniles have been provided by the Milwaukee Public Schools (MPS) District since 1997. MPS provides three full-time teachers and one aide in two classrooms and one office at the CJF. According to the Manager of Inmate Programs, the County currently does not charge either of the two districts a space rental cost. In discussing this matter with her, she was not aware of the possibility of the districts recouping such costs through the Wisconsin Department of Public Instruction (DPI). To provide some context, the Milwaukee County Detention Center currently recoups about \$43,000 in annual space rental costs for five classrooms as part of the County's agreement with the Wauwatosa School District.

We also spoke with a contact person at DPI. Currently, both Franklin and MPS apply for tuition reimbursements for teaching services provided at the HOC and the CJF. To be eligible for DPI tuition reimbursements, juveniles must be under 21 and not have graduated from high school.

**Recommendation**

We recommend the Sheriff's Department and HOC, in cooperation with the Franklin and MPS School Districts, explore the possibility of charging a space rental cost for educational services at the HOC and CJF for potential reimbursement from DPI. The school districts should seek DPI's approval to include space rental costs on their respective state tuition reimbursement claims. Filing for reimbursements and subsequent approval of payments is a business issue between the school districts and DPI. Based on our previous experience with the County's current agreement with the Wauwatosa School District, the Department of Audit is available to assist and advise the County operating departments on this matter.



Jerome J. Heer

JJH/cah

Attachment

cc: Finance and Audit Committee Members  
David A. Clarke, Milwaukee County Sheriff  
Ron Malone, Superintendent, House of Correction  
Jan Brylow, Manager of Inmate Programs, Milwaukee County Sheriff's Department  
John Jorgensen, Principal Assistant Corporation Counsel  
Terrence Cooley, County Board Chief of Staff  
Steve Cady, Fiscal and Budget Analyst, County Board Staff  
Lauri J. Henning, Chief Committee Clerk, County Board Staff